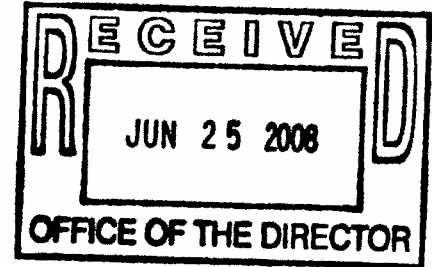




June 23, 2008

Mr. Herb Guenther, Director
Arizona Department of Water Resources
3550 North Central Avenue
Phoenix, Arizona 85012



Re: Interbasin Transport of Effluent

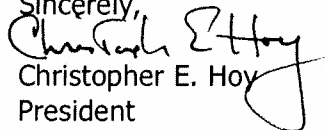
Dear Director Guenther:

The Citizens Water Advocacy Group (CWAG) is aware that Arizona law prohibits the transfer of groundwater between basins, with a few notable exceptions. Recent discussions in our region, however, have involved the transfer of effluent between basins. In an Active Management Area where groundwater cannot be used for new subdivisions, the importation of effluent from a non-AMA basin, as alternative water, might be very attractive.

CWAG is concerned that this type of transfer would be detrimental to the basin that supplies the effluent and which otherwise would have seen it recharged or reused. The transfer of effluent between basins might not have been anticipated when the transportation law was enacted, even though the adverse effect is the same as the transfer of groundwater. We have the following questions:

1. Is it clear that the law allows effluent that was generated from groundwater to be transferred between basins?
2. Is the definition of "beneficial use" adequate to prevent a sham use of groundwater, where the real intention is the generation of effluent that will be transferred? (We are not implying any such sham project would be undertaken.)
3. Does the Department agree with CWAG that the law that prohibits transfer of groundwater between basins should be revised to include effluent?

We have copied our local legislators because they might not be aware of the issue of potential interbasin transfer of effluent. Their reactions are welcomed as well.

Sincerely,

Christopher E. Hoy
President

cc: Senator Tom O'Halleran
cc: Representative Lucy Mason
cc: Representative Andy Tobin